

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Feilmair *et al.*

Patent No. : 6,645,409 Serial No. : 09/814,152

Issued : Nov. 11, 2003 Filed : March 21, 2001

For : PROCESS FOR THE PRODUCTION OF CELLULOSIC FIBRES

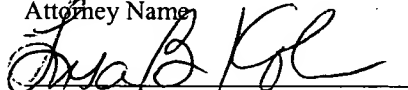
#12
A.L.H.
2-905

**PETITION FOR CORRECTION OF LISTED INVENTORS
PURSUANT TO 37 C.F.R. § 1.324**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 29, 2004

Lisa B. Kole
Attorney Name


Signature

35,225
PTO Registration No.

October 29, 2004
Date of Signature

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

NOV 12 2004

OFFICE OF PETITIONS

11/17/2004 AKELLEY 00000035 09814152

02 FC:1811 Sir: 100.00 OP

Pursuant to 37 C.F.R. § 1.324, Patentee respectfully petitions for the correction of inventorship for the above-referenced patent.

The error in inventorship was made inadvertently and without deceptive intent. Bruno Mangeng was added as a fourth inventor during the pendency of the International Application No. PCT/AT99/00339 to which this patent, U.S. Patent No. 6,645,409, claims priority, and U.S. Attorneys for Applicant inadvertently filed the application that matured into '409 application

11/17/2004 AKELLEY 00000035 09814152

01 FC:1460

130.00 OP

without including Mr. Mangeng.

In support of this petition, Patentee encloses

- (1) a statement by Bruno Mangeng that the inventorship error occurred without deceptive intent;
- (2) a statement by Wilhelm Feilmair, Heinrich Firgo, and Johann Männer, all currently listed as inventors, that they agree with the request to add Bruno Mangeng as a joint inventor;
- (3) a statement from Lenzing Aktiengesellschaft agreeing to the correction of the inventorship; and
- (4) the fee set forth in §1.20(b).

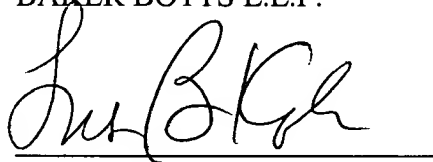
Also enclosed is a Request for Certificate of Correction and Certificate of Correction, in duplicate.

Patentee respectfully requests that this petition under 37 C.F.R. § 1.324 be granted, and that the accompanying Request for Certificate of Correction be granted.

Patentee does not believe that any additional fee is required in connection with the submission of this petition. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit any overpayments made, to Deposit Account 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

A handwritten signature in black ink, appearing to read 'Lisa B. Kole', written over a horizontal line.

Lisa B. Kole

Patent Office Reg. No. 35,225

Attorney for Patentee

30 Rockefeller Plaza
New York, NY 10112
(212) 408-2500

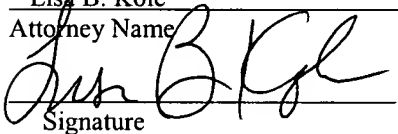
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Feilmair *et al.*
Patent No. : 6,645,409 Serial No. : 09/814,152
Issued : Nov. 11, 2003 Filed : March 21, 2001
For : PROCESS FOR THE PRODUCTION OF CELLULOSIC FIBRES

REQUEST FOR CERTIFICATE OF CORRECTIONS

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on

October 29, 2004

Lisa B. Kole
Attorney Name

Signature

35,225
PTO Registration No.
October 29, 2004
Date of Signature

Mail Stop Petition
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
NOV 12 2004
OFFICE OF PETITIONS

Sir:

This paper accompanies a Petition for Correction of Listed Inventors Pursuant to C.F.R. § 1.324.

Pursuant to 37 C.F.R. § 1.323, please correct the following error made by the Patentee.

[75] Inventors: Wilhelm Feilmair, Seewalchen (AT);

Heinrich Firgo, Vöcklabruck (AT);

Johann Männer, Weyregg (AT)

should read:

[75] Inventors: Wilhelm Feilmair, Seewalchen (AT);

Heinrich Firgo, Vöcklabruck (AT);

Johann Männer, Weyregg (AT);

Bruno Mangeng, Enns (AT)

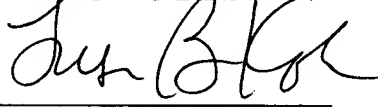
REMARKS

A proposed Certificate of Correction is enclosed in duplicate. It is respectfully requested that the Certificate of Correction be issued for attachment to the original patent under the provisions of 37 C.F.R. §1.323.

Patentee submits a check in the amount of \$100.00 for the required fee under 37 C.F.R. §1.323 and §1.20 (a). Should any additional fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge such fees, or credit or any overpayments made, to Deposit Account 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

By: 

Lisa B. Kole

Patent Office Reg. No. 35,225

Attorney for Applicant

30 Rockefeller Plaza
New York, NY 10012-4498
(212)-408-2500

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,645,409

Page 1 of 1

DATED : Nov. 11, 2003

INVENTOR(S) : Feilmair et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

ON THE FACE OF THE PATENT

[75] Inventors: Wilhelm Feilmair, Seewalchen (AT);

Heinrich Firgo, Vöcklabruck (AT);

Johann Männer, Weyregg (AT)

should read:

--[75] Inventors: Wilhelm Feilmair, Seewalchen (AT);

Heinrich Firgo, Vöcklabruck (AT);

Johann Männer, Weyregg (AT);

Bruno Mangeng, Enns (AT)--

MAILING ADDRESS OF SENDER:
Baker Botts L.L.P.
30 Rockefeller Plaza
New York, New York 10112

PATENT NO. 6,645,409

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,645,409

Page 1 of 1

DATED : Nov. 11, 2003

INVENTOR(S) : Feilmair et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

ON THE FACE OF THE PATENT

[75] Inventors: Wilhelm Feilmair, Seewalchen (AT);

Heinrich Firgo, Vöcklabruck (AT);

Johann Männer, Weyregg (AT)

should read:

--[75] Inventors: Wilhelm Feilmair, Seewalchen (AT);

Heinrich Firgo, Vöcklabruck (AT);

Johann Männer, Weyregg (AT);

Bruno Mangeng, Enns (AT)--

MAILING ADDRESS OF SENDER:
Baker Botts L.L.P.
30 Rockefeller Plaza
New York, New York 10112

PATENT NO. 6,645,409

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Feilmair *et al.*
Patent No. : 6,645,409 Serial No. : 09/814,152
Issued : Nov. 11, 2003 Filed : March 21, 2001
For : PROCESS FOR THE PRODUCTION OF CELLULOSIC FIBRES

DECLARATION OF BRUNO MANGENG

NOV 12 2004

I, BRUNO MANGENG, residing at Brühlweg 1, 4470 Lenzing, Austria A-4470, declare that through an error that occurred without deceptive intention on my part, I was not designated an inventor of the above-identified patent.

I expressly declare that I am a joint inventor of the above-identified patent. The error in inventorship occurred without deceptive intention on my part.

Subscribed and executed at Lenzing

on September 23, 2004 (Place)
(Date)


BRUNO MANGENG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Feilmair *et al.*
Patent No. : 6,645,409 Serial No. : 09/814,152
Issued : Nov. 11, 2003 Filed : March 21, 2001
For : PROCESS FOR THE PRODUCTION OF CELLULOSIC FIBRES

NOV 12 2004

CONSENT OF INVENTORS TO CHANGE IN INVENTORSHIP

WE, WILHELM FEILMAIR, residing at Lacherwiese 30, Seewalchen, Austria A-4863;
HEINRICH FIRGO, residing at Billrothstrasse 5, Vöcklabruck, Austria A-4840; and JOHANN
MÄNNER residing at Gahbergstrasse 6, Weyregg, Austria A-4852; as current joint inventors of
the above-identified patent, declare that we agree with the request to add BRUNO MANGENG
as a joint inventor.

Subscribed and executed at Lenzing

(Place)

on September 23, 2004
(Date)



WILHELM FEILMAIR

Subscribed and executed at Lenzing

(Place)

on September 23, 2004
(Date)


HEINRICH FIRGO

Subscribed and executed at Lenzing

(Place)

on September 23, 2004
(Date)


JOHANN MANNER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Feilmair *et al.*
Patent No. : 6,645,409 Serial No. : 09/814,152
Issued : Nov. 11, 2003 Filed : March 21, 2001
For : PROCESS FOR THE PRODUCTION OF CELLULOSIC FIBRES

CONSENT OF ASSIGNEE TO ADD AN INVENTOR TO ORIGINALLY
NAMED INVENTORS AND CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED



NOV 12 2004

OFFICE OF PETITIONS

Sir:

LENZING AKTIENGESELLSCHAFT, Werkstraße 2, A-4860 Lenzing, Austria,
the assignee of the entire right, title and interest in above-identified patent by virtue of an
assignment dated May 18, 2001, from the inventors to LENZING AKTIENGESELLSCHAFT,
hereby assents to the correction of inventorship filed herewith.

Dated: September 23, 2004 By: _____

Title:  
LENZING AKTIENGESELLSCHAFT
Thomas Fahnemann Haiò Harms
(member of the board (authorized
of directors) officer)

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

LENZING AKTIENGESELLSCHAFT, a corporation organized and existing under the laws of Austria, certifies that it is the assignee of the entire right, title and interest in the patent identified above by virtue of assignment from the inventors to LENZING AKTIENGESELLSCHAFT appended hereto.

The undersigned has reviewed the assignment and, to the best of the undersigned's knowledge and belief, title of the above-captioned patent is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

Dated: September 23, 2004


By: _____

Title: _____

LENZING AKTIENGESELLSCHAFT

Thomas Fahnenmann
(member of the board
of directors)

Haio Harms
(authorized
officer)

BAKER BOTTS LLPPlease type a plus sign (+) inside this box → **RECEIVED**

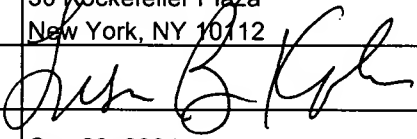
NOV 12 2004

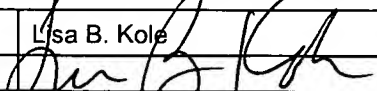
OFFICE OF PETITIONS

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	Patent No. 6,645,409
	Filing Date	March 21, 2001
	First Named Inventor	Feilmair
	Group Art Unit	1732
	Examiner Name	Tentoni
Total Number of Pages in This Submission	Attorney Docket Number	A34136 PCT USA A 071986.0

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Cert. of Corr., Cert. of Corr., Return receipt postcard
Remarks <input type="checkbox"/>		

RECEIVED
NOV 23 2004
TC 1700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	 Att Name: Lisa B. Kole PTO Reg: 35,225
Date	Oct. 29, 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO-Box 1450, Alexandria, VA 22313-1450 on this date: Oct. 29, 2004	
Typed or printed name	Lisa B. Kole
Signature	 Date Oct. 29, 2004

Title: METHOD FOR PRODUCING CELLULOSIC FIBRES

Use Space Below for Additional Information:

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 230

Complete if Known

Application Number Patent No. 6,645,409
Filing Date March 21, 2001
First Named Inventor Feilmair
Examiner Name Tentoni
Art Unit 1732
Attorney Docket No. A34136-PCT-USA-01-019870

RECEIVED

NOV 17 2004

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Deposit Account Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee required under 37CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20	0	0	0
Independent Claims	3	0	0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Cert of Corr			100

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 230

SUBMITTED BY

Name (Print/Type) Lisa B. Kole Registration No. 35,225 Telephone 212-408-2500
Signature Date Oct. 29, 2004

(Complete if applicable)